

**ASSEMBLY BILL**

**No. 2049**

**Introduced by Assembly Member Nakano**

February 22, 2000

An act to add Section 514.5 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 2049, as introduced, Nakano. Employment: overtime.

Existing law requires hours worked in excess of 8 hours in one workday, hours worked in excess of 40 hours in one workweek, and the first 8 hours worked on the 7th day of work in any one workweek to be compensated at the rate of no less than 1 1/2 times the regular rate of pay of an employee. In addition, hours worked in excess of 12 hours in one day, as well as hours worked in excess of 8 hours on any 7th day of a workweek, are to be compensated at the rate of no less than twice the regular rate of pay of an employee. Employees working pursuant to an alternative workweek schedule, as specified, are exempt from these requirements.

Under existing law, an employer, or other person acting on behalf of an employer, is subject to specified civil penalties for the violation of prescribed provisions of the Labor Code or provisions regulating hours and days of work of wage orders of the Industrial Welfare Commission. Existing law authorizes the Labor Commissioner to issue citations for violations of prescribed provisions of the Labor Code regulating the payment of wages for overtime work and provisions regulating hours and days of work in wage orders of the

commission and prescribes a procedure by which the cited employer or other person may contest the proposed assessment of a civil penalty.

This bill would exempt any employer or employee engaged in the production of Digital Video Discs or Digital Versatile Discs (DVD) from these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 514.5 is added to the Labor  
2 Code, to read:  
3 514.5. This chapter shall not apply to any employer or  
4 employee engaged in the production of Digital Video  
5 Discs or Digital Versatile Discs (DVD).

